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C O N F I D E N T I A L SECTION 01 OF 02 KINSHASA 001933

SIPDIS

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TAGS: [PGOV](#) [PREL](#) [KPKO](#) [CG](#) [MONUC](#)

SUBJECT: JVM: STILL A WORK IN PROGRESS

REF: KINSHASA 1904

Classified By: PolCouns MSanderson, reasons 1.4 (b) and (d).

¶11. (C) Summary: Monuc DDR chief expressed doubts October 14 that the proposed JVM office in Bukavu will be opened in the near future, given the recent attack on Monuc peacekeepers by Congolese civilians who erroneously believed MONUC was transporting a Rwandan (reftel). Monuc has informed both Rwanda and the DRC that it will not transport armed JVM participants in Monuc vehicles, since Monuc milobs who would be accompanying the teams will be unarmed. Congo's lead representative to the JVM discussions, Ambassador-at-Large Antoine Ghonda, submitted his recommendations to President Kabila October 13. Ghonda recommends that the DRC should insist on a provision that all allegations should be investigated, regardless of the source, and that a new element be added to assist with the progressive repatriation of refugees. As of October 16 he had not received confirmation that these have been approved, in large part because Kabila is making his first official trip to the east (septel). Ghonda hoped to have a response to Monuc on or about October 20, acknowledging that the JVM bureaus probably would not open October 18 as previously planned. End Summary.

Monuc -- Having Second Thoughts?

¶12. (C) PolCouns met October 14 with Monuc DDR chief Peter Swarbrick to discuss progress -- or lack thereof -- on the Joint Verification Mechanism (JVM). (Note: Swarbrick said that DDR has the lead on JVM within Monuc, in large part because SRSG Swing hopes that eventually the JVM will result in a joint Congo-Rwanda effort to deal with the FDLR problems. End Note.) Referring to an October 8 incident in Bukavu during which an angry crowd of approximately 1,000 Congolese citizens threatened to burn Monuc peacekeepers transporting a supposed Rwandan, Swarbrick said that Monuc is seriously considering delaying the opening of the JVM office in Bukavu. Swarbrick believes that particularly initially, with the low level of activity anticipated for the verification teams, it will be possible to conduct investigations in both North and South Kivu from the Goma JVM offices. Then, he continued, Monuc could open the JVM office in Bukavu "when things are calmer," although he declined to speculate on when that might be. PolCouns noted the importance of opening both offices as planned, particularly in order that the international community not be seen to be intimidated by mob rule, which would further undercut Monuc's influence in South Kivu.

¶13. (C) Swarbrick went on to say that Monuc has informed both Rwanda and the DRC that it will not transport armed JVM team members. Since the Monuc milobs who will accompany the teams on their missions will be unarmed (consistent with Monuc's operational agreement), the JVM members likewise must be unarmed. Swarbrick acknowledged there is a risk that unarmed JVM teams -- and milobs -- could potentially encounter armed and hostile parties in the course of their investigations, but said in that case, the teams would simply have to break off the investigation. As of October 16, Monuc had not received replies to the work plan for the verification teams from either Rwanda or the DRC.

Congolese -- High Hopes

¶14. (C) PolCouns spoke October 16 with Ambassador-at-Large Antoine Ghonda, the DRC's senior representative at the JVM meeting in Kigali. Ghonda confirmed that he had received Monuc's proposed changes to the work plan and said that in principle, Congo has no objections to unarmed team members. He noted that the purpose of the teams is to investigate allegations with the objective of resolving problems, not firing on miscreants. He insisted, however, that the work plan must state (as do the terms of reference agreed in New York) that the teams will investigate "all allegations," not only those supplied by official government sources. He added that, in light of the recent tensions surrounding the return of refugees from Burundi, the DRC hopes the JVM teams can also assist with the phased return of refugees both by generally improving confidence and security, and by investigating allegations that non-refugee elements might attempt to enter the Congo disguised as refugees.

¶15. (C) He confirmed the DRC wants the Rwandan team to stay each evening on the Rwandan side of the border. While acknowledging the logistical problems this will pose (most

allegations are received in the early morning hours, when the border is officially closed, which would prohibit Monuc's transporting the Rwandan team to the Congolese side, or vice versa), he said that the DRC is insisting on this measure to ensure the safety of the Rwandan team. (Comment: A tacit admission that the DRC cannot or will not guarantee the security of the Rwandan soldiers in Bukavu or Goma. End Comment.) Ghonda also said that others, such as Nigeria and South Africa, should be briefed on the JVM and its operations, speculating that perhaps in the future these two countries would wish to be involved "in some capacity." He said he had submitted his recommendations to the President for approval, but did not expect to receive a response before October 20, given that the President is making his first official visit to the East (Kisangani, reported septel).

Comment

16. (C) Perhaps not surprisingly, there already is some delay in agreeing on the operational terms for the verification teams, and an attendant lag in opening the offices. Monuc is hopeful, however, that by early November the JVM will be operational, in one form or another. Increasingly, however, the limitations imposed by all the parties -- having to transport the Rwandans to and from Congo daily, Monuc's lack of night-vision equipment and boats, etc -- suggest that the JVM will have a hard time living up to expectations particularly if, as Swarbrick suggests, Monuc hopes the JVM will somehow lead to a solution for the long-standing problem of the FDLR.

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